

Notice of Allowability

Application No.

09/966,686

Examiner

Marc Jimenez

Applicant(s)

AUSTIN, MICHAEL

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 7/22/04.
2. ☒ The allowed claim(s) is/are 46-56,58-73 and 75-79.
3. ☒ The drawings filed on 13 November 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

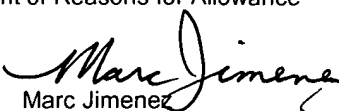
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Marc Jimenez
AU 3726
9/13/04

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

The prior art does not teach or suggest a method of reducing a stent in cross-section including providing a crimper having a plurality of closely spaced movable dies arranged to form an iris and move simultaneously with one another with the iris formed reducible in size by moving the dies by rotation of an actuation device, in combination with all of the other claim limitations of independent claim 46.

The prior art does not teach or suggest a method of crimping a stent including providing a crimper with dies having an inward facing straight side, the dies constructed and arranged such that any radial line extending from the center of the aperture to outside the crimper will encounter a movable die, placing a stent within the aperture, and the stent being cooled below ambient temperature prior to reducing the size of the aperture, in combination with all of the other claim limitations of independent claim 55.

The prior art does not teach or suggest a method of reducing a stent in cross-section including providing a crimper with dies having an inward facing straight side, the dies constructed and arranged such that any radial line extending from the center of the aperture to outside the crimper will encounter a movable die, placing a stent within the aperture, and applying rotary motion to the actuator to reduce the size of the aperture sufficiently to contact the dies against the stent to reduce the stent in cross-section, in combination with all of the other claim limitations of independent claim 63.

The prior art does not teach or suggest a method of reducing a stent in cross-section

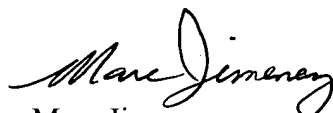
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including providing a crimper having eight or more movable dies defining an aperture having a center, the dies constructed and arranged such that any radial line extending from the center of the aperture to outside the crimper will encounter a movable die, each die having an inward facing flat portion which faces the center of the aperture, and cooling the temperature of the dies below ambient temperature, in combination with all of the other claim limitations of independent claim 72.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc Jimenez whose telephone number is (703) 306-5965. The examiner can normally be reached on Monday-Friday between 5:30 a.m.-2:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Marc Jimenez
Patent Examiner
AU 3726

MJ
September 14, 2004